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**UNITED STATES DISTRICT COURT
 DISTRICT OF NEVADA**

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UNITED STATES OF AMERICA,

Plaintiff,

vs

SUSANNE MCALLISTER,

Defendant.

Case No. 2:10-cr-00392-GMN-PAL

**DEFENDANT'S SENTENCING
 MEMORANDUM**

Susanne McAllister, by and through her attorney, Margaret M. Stanish, Wright, Stanish & Winckler, respectfully requests that the Court sentence her to a community-based sentence, that is credit-for-time served (one day) and a period of supervised release with conditions deemed appropriate by the Court. This is a fair and meaningful punishment given Ms. McAllister's offense conduct and her personal background.

1. Introduction: Community-Based Punishment Fits the Offense and Person

By way of overview, the following factors support a community-based sentence. First and foremost, Ms. McAllister's degree of culpability or blameworthiness was extremely low when compared to others involved in the instant case and those typically convicted in fraud cases. The evaluation of her level of culpability is essential to this Court's analysis of the nature of Ms. McAllister's offense conduct and personal background and characteristics pursuant to Section 3553(a)(1). At the time of the instant offense, seven years ago, Ms. McAllister was a novice

1 escrow officer assistant who was financially unsophisticated, improperly trained by her
2 supervisors, and exploited by co-defendants.

3 Unlike the co-defendants who devised the mortgage fraud scheme, Ms. McAllister
4 became an escrow officer assistant at Lawyer's Land America Title ["Lawyers Title"] after the
5 scheme was already underway. She did not seek to be involved in a fraudulent scheme; rather she
6 did her job by following the escrow procedures and practices consistent with the course of her
7 employment and on-the-job training (or lack thereof).

8 Unlike the co-defendants who devised the scheme and knowingly submitted false loan
9 applications prior to the opening of escrow, Ms. McAllister had a limited understanding and
10 knowledge of the nature and scope of the mortgage fraud scheme. She knew that some of the
11 primary occupancy statements executed during the escrow closings were false because the homes
12 would be used for investment purposes. In certain instances, she was aware that Lloyd Gardly (the
13 orchestrator of the scheme) assisted individuals in buying and selling investment homes, which he
14 would manage as rentals. In other instances, however, she was unaware of the borrower's
15 connection to the Gardly scheme when serving as notary and processing the escrows.

16 Unlike her co-defendants and uncharged co-schemers whose motives were greed or a
17 desire to get rich quick, Ms. McAllister was a single mother motivated to maintain employment in
18 support of her family. At the time, her family obligations included her two-year old daughter, her
19 seriously ill sister, and her sister's two children. She tried to diligently perform her administrative
20 duties under stressful and demanding work conditions. While certain defendants obtained large
21 sums of money from the fraudulent loans, Ms. McAllister earned wages of approximately \$1,300
22 every two weeks. When the lease on her home was about to be terminated, Lloyd Gardley offered
23 to let her rent a vacant home for \$500 a month. He also lent her \$300 for moving expenses which
24 she paid back.

25 Second, Ms. McAllister's personal history and psychological traits help to explain why
26 she became entangled in the instant offense and provide this Court with essential information in

1 support of a community-based punishment. (The psychological evaluation by John Paglini, Psy.D.,
2 is appended to the PSI and will not be detailed herein for privacy purposes.) It shows that Ms.
3 McAllister experienced significant adversities as a child and adult which contributed to her
4 subservient personality. The instant offense occurred approximately seven years ago when Ms.
5 McAllister was a hard-working, single mother of one child. After the end of the instant offense
6 and before the indictment, she became happily married and pregnant with her second child. She is
7 now the mother of three children and continues to care for her extended family and others.

8 Third, Ms. McAllister has accepted responsibility for her conduct and assisted the
9 government in its prosecution of two other persons. She has agreed to pay restitution and forfeiture
10 in amounts far in excess of her “gain.” She has expressed and experienced great remorse for her
11 role in assisting in the escrow process of certain loans. The government filed a motion for a four-
12 level reduction for substantial assistance and recently amended its recommendation to a two-level
13 reduction. CR 403 and 425. In its amended motion, it continues to recommend a two-level
14 reduction for Ms. McAllister’s testimony in the trial of co-defendant Jabari Marshall, which the
15 government characterizes as “candid and helpful to the government’s case.” CR 425, p.2.

16 The government contends that Ms. McAllister made false statements while testifying on
17 cross-examination in the trial of Theresa Marcianti, one of her escrow officers who Ms. McAllister
18 assisted at Lawyer’s Title. It states, “McAllister made false statements on cross-examination
19 regarding when she lived in one of Lloyd Gardly’s houses and regarding whether she participated
20 in fraud after she stopped working for Theresa Marcianti.” The government notes that it will
21 provide the Court with more details regarding the statements if requested. In brief response
22 herein, the defense takes issue with the government’s characterization of her statements as false.
23 Ms. McAllister, acting in good faith, answered the ambiguous and compounded questions posed to
24 her as to why she decided to plead guilty but made mistakes regarding the chronology of events.
25 She did not intentionally provide false statements.

1 **2. The Nature and Circumstances of Ms. McAllister’s Offense Conduct and Personal**
2 **Characteristics**

3 ***A. Legal Authority on Relative Culpability as a Sentencing Factor***

4 To meet the goal of tailoring a sentence to fit the person and offense of Ms. McAllister,
5 the Court is urged to consider as compelling mitigation evidence Ms. McAllister’s relatively low
6 degree of culpability or blameworthiness in the instant offense. The fraud guidelines are primarily
7 driven by the amount of loss and do not adequately differentiate the relative degree of
8 blameworthiness or culpability of an individual defendant. “Loss under the Guidelines is
9 effectively a proxy for evaluating culpability. Sometimes it is appropriate, and sometimes it is
10 not.” United States v. Watts, 707 F.Supp.2d 149, 155 (D. Mass. 2010); *see also*, United States v.
11 Emmenegger, 329 F. Supp. 2d 416,427 (S.D. NY 2004)(finding fraud guidelines place excessive
12 weight on loss when the amount stolen in many cases is a “relatively weak indicator of the moral
13 seriousness of the offense or the need for deterrence”). In the instant case, the estimate of actual
14 loss is not an effective proxy in determining the appropriate punishment of Ms. McAllister given
15 her level of culpability.

16 Various courts, the Sentencing Commission, and legal commentators recognize the
17 tendency of the guideline loss calculations to overstate the seriousness of an individual
18 defendant’s offense conduct. Indeed, the fraud guidelines provide explicit authority for a
19 downward departure if the Court finds that the fraud guidelines overstates the seriousness of the
20 defendant’s offense. Application Note 19(C) in U.S.S.G., §2B1.1.

21 Both before and after Booker, courts have focused on the nature of the defendant’s
22 offense conduct and personal background as a more accurate proxy of culpability. The case law
23 and commentators make it clear that there is a wide continuum of culpability in fraud cases. And, a
24 just sentence requires the careful analysis of the individual’s culpability level to distinguish
25 between the predatory fraudster and an inexperienced person led astray. *See*, Watt, 707 F. Supp.2d
26 at 155-58 (varying significantly from fraud guidelines based on an evaluation of defendant’s

1 relative culpability compared to co-defendant, his motive and intent, and lack of financial gain in
2 computer hacking and identity theft case); United States v. Forchette, 220 F.Supp.2d 914, 924-27
3 (E.D. Wis. 2002)(citing cases supporting leniency based on evaluation of defendant's "diminished"
4 motive and intent for entering and participating in fraud; inferior role in a fraud; limited knowledge
5 or understanding of the nature and scope of the fraud; limited or no gain; and multiple causation
6 for the actual loss beyond the defendant's conduct).

7 The Forchette Court, a pre-*Booker* case, delineated mitigating circumstances supporting a
8 downward departure when the fraud guidelines substantially overstate the seriousness of a
9 defendant's offense conduct:

10 [T]he defendant may have had a limited or inferior role in the fraud that bore
11 little relationship to the amount of the loss; he may have had little or no
12 knowledge of the amount being taken, such that it would be unfair to attribute
13 the entire amount of loss to him; his intent in involving himself in the scheme
14 may have been significantly different than that of the usual fraud defendant, e.g.
15 he may have entered the scheme with honest intentions or with the intent to
16 make good on his obligations; his fraudulent representations may have been of
17 limited materiality, as where he could have obtained a loan by truthful means
18 but at a higher interest rate; or the defendant's fraud may have been for little or
19 no gain, especially in comparison to the size of the loss.

20 220 F. Supp.2d at 925.

21 Forchette also found that a downward departure from the fraud guidelines may be
22 appropriate when the loss is a result of multiple contributing factors beyond the defendant's
23 control, such as an economic downturn, market collapse, and negligence of others, including the
24 victim. Id. at 924.

25 Similar to the Forchette analysis, the ABA Task Force on the Reform of Federal
26 Sentencing for Economic Crimes¹ has developed a non-exhaustive list of "culpability factors" that

¹ The ABA Task Force consists of federal judges, law professors, attorneys, and an observer from the Department of Justice. The task force is involved in the recent efforts of the Sentencing Commission to conduct a comprehensive revision of the fraud guidelines. The task force's proposal involves revising the fraud guidelines to focus on actual loss, culpability, and victim impact.

1 should be considered in individualizing punishment in fraud and theft cases. *See*, Statement of
 2 James Felman in *Transcript of U.S. Sent’g Comm’n Symposium on Economic Crimes*, New York,
 3 NY (Sept. 18-19, 2013), pp. 108-39, available online at www.ussg.gov. The ABA task force
 4 provided the following non-exhaustive list of “culpability factors” for consideration: (1) the
 5 defendant’s motive; (2) the correlation between the amount of loss and the amount of the
 6 defendant’s gain; (3) the degree of sophistication of both the scheme and the defendant’s
 7 contribution to the scheme; (4) the duration of the offense; (5) whether the defendant initiated the
 8 offense or merely joined in criminal activity initiated by others; (6) whether the defendant
 9 voluntarily ceased the offense conduct or mitigated the harm; and (7) whether the defendant
 10 committed the offense in response to extenuating circumstances, such as coercion or duress. *Id.* at
 11 117-23.

12 In reviewing a sentencing in a narcotics case, the Ninth Circuit held that a sentencing
 13 court may properly rely upon Section 3553(c)(1) to evaluate the “nature and circumstances” of
 14 each participant’s offense conduct in a multi-defendant case and adjust the sentence according to
 15 the varying levels of culpability while also taking into account the personal history and
 16 characteristics of each defendant. *United States v. Saeteurn*, 504 F.3d 1175, 1181-82 (9th Cir.
 17 2007). It found, “Such a comparison, we think, was not to achieve sentencing parity amongst co-
 18 defendants but to ascertain exactly what role each defendant had played in the drug conspiracy and
 19 impose a correct sentence in the light of each defendant’s relative culpability.” *Id.* at 182.

20 ***B. Culpability Analysis: The Nature and Circumstances of Ms. McAllister’s Offense***
 21 ***Conduct and Personal Background***

22 **Ms. McAllister’s Motive, Lack of Sophistication, and Administrative Role**

23 In Summer 2005, Ms. McAllister applied for a job as a secretary at a well-established
 24 national escrow company, Land America Lawyer’s Title (“Lawyer’s Title”). Ms. McAllister was a
 25 27-year single mother and living on her own with her daughter who suffered from a heart murmur
 26 and a serious respiratory problem that required her to be attached to a nebulizer four times a day.

1 Ms. McAllister had a G.E.D. and no informal or formal training in financing. Her only personal
2 experience in acquiring loans was as a borrower from payday loan centers and a car loan that she
3 co-signed for her mother. She was a renter of her residences both before and during the instant
4 offense.

5 Unlike some of the charged and uncharged participants, Ms. McAllister had no
6 meaningful training or experience in the area of fiduciary duties owed to lenders; the intricacies of
7 real estate lending by primary and wholesale mortgage lenders; the innovated loan products made
8 available by the lenders; the reselling of loans to the secondary loan market; or the securitization of
9 loans by certain purported victims who ultimately purchased and bundled the fraudulent loans.

10 The job at Lawyer's Title represented an improvement from her previous job as a
11 receptionist for another escrow company because it paid about \$2,400 per month and offered health
12 care benefits which were a necessity given her daughter's condition. She was assigned to perform
13 secretarial work for an escrow officer who primarily processed the closing paperwork for
14 refinancing mortgages. A few months into the job, she left Lawyer's Title to accept a better paying
15 position as an escrow assistant at another company. After one week, however, she returned to
16 Lawyer's Title when she was informed that she was not going to receive the promised health care
17 benefits.

18 When Ms. McAllister returned to Lawyer's Title in or about October 2005, she was
19 assigned to work as an assistant to an escrow officer named Theresa Marcianti.² Her monthly
20 salary was about \$2,700. Unbeknownst to Ms. McAllister, she had come into a pre-existing
21 fraudulent scheme. Ms. Marcianti was already performing escrow services for Lloyd Gardly,
22

23 ² Ms. Marcianti was not charged in the instant case but was
24 subsequently charged in Case No. 2:11-cr-452-PMP-CWH, which
25 involved the escrow processing of a large volume of loans for a
26 realtor and loan broker. Ms. McAllister did not notarize loans for
these customers but she processed pay-offs and made distributions as
directed.

1 Arcell Mitchell (a loan officer), and others who prepared and submitted loan applications that
2 falsely inflated the borrowers' income, misstated that purchased home would be the primary
3 resident of the borrowers, and other false statements.

4 Ms. McAllister had no involvement in preparing or reviewing the contents of the loan
5 applications. Her primary function was to order pay-offs from lien-holders, notarize the signatures
6 of sellers and buyers on the closing documents, and distribute funds according to the closing
7 instructions. These instructions consisted of the lender's instructions, disbursement sheets
8 prepared by the buyers and sellers, and the distribution sheets prepared by the escrow officer based
9 on a review of the lender's instructions and disbursement sheets. The disbursements of funds
10 would not occur until after the escrow officer reviewed the documents and prepared the
11 disbursement sheets, upon which Ms. McAllister would rely to carry out the disbursement
12 function. As the assistant to the escrow officer, Ms. McAllister would field phone calls and
13 emails from the clients and their representatives and perform other duties normally expected of an
14 administrative assistant.

15 The Gardly scheme involved approximately 57 fraudulent loans and Ms. McAllister
16 notarized or processed closing in approximately 21 of the loans over the span of approximately two
17 years. It is important to understand that these loans were interspersed with hundreds, if not
18 thousands, of other escrow closings handled by Ms. McAllister during this time period. It appears
19 from the voluminous discovery that uncharged escrow personnel at Lawyer's Title and at least
20 three other title companies processed the escrow closings in the majority of the 57 loans associated
21 with the Gardly group. In short, Ms. McAllister unwittingly took the wrong job at the wrong time.

22 **Ms. McAllister's "Limited" *Mens Rea* and Personal Traits**

23 Through the course of her employment as an escrow officer assistant, Ms. McAllister
24 occasionally handled escrows that were connected to Mr. Gardly. She was aware that he helped
25 certain people buy homes that he would manage as investments. Her decision to plead guilty was
26 based primarily upon her knowledge that certain borrowers were purchasing multiple homes during

1 the same escrow session and certifying that they would occupy the homes as primary residences.
2 This was a practice that Ms. McAllister only recalls observing while working as an assistant to Ms.
3 Marcianti.

4 Despite the recognition that borrowers were purporting to purchase multiple homes as
5 primary residences, Ms. McAllister did not question the propriety of such representations. As one
6 borrower related to investigators, when he asked Ms. McAllister about whether such a practice
7 was proper, he recalled her responding, "That's how we do it here." She understood that the loan
8 documents were already approved by the lenders and her job was to notarize and process the
9 closing documents. She did not think to question or challenge the practice.

10 At the time of the change of plea hearing on March 18, 2013, this Court carefully
11 canvassed Ms. McAllister on whether she understood that the primary occupancy
12 misrepresentation was material to the lender's decision to lend money. She responded that at the
13 time, she did not know but now she understood it.³ She did not think to question the authority of
14 her boss, Ms. Marcianti, or the procedure and practice that was already in place when she began
15 working as an escrow assistant. As indicated in her statement of acceptance of responsibility,
16 however, Ms. McAllister acknowledged that she should have brought the issue to the attention of
17 the lenders and her conduct aided the scheme. PSI, p. 11, ¶ 37.

18 As stated above, Ms. McAllister's duties included disbursing funds in accordance to the
19 distribution sheets prepared by the escrow officer. She did not understand that following the
20 instructions to disburse funds to third parties served to effectuate a part of a fraudulent scheme
21 devised by Mr. Gardly to put money in the pockets of himself and others. Nor, did she know that
22 some of the third parties were shell companies controlled by Mr. Gardly.

23
24
25 ³ Your Honor inquired of Ms. McAllister whether she understood that the
26 false statements regarding the primary occupancy would influence the
decision-making of the lending institutions. Ms. McAllister stated that she
did not know about the materiality of the misrepresentation at the relevant
time but learned so afterwards.

1 In sum, Ms. McAllister diligently performed her administrative duties and, in so doing,
2 became ensnared in a fraudulent scheme that she did not fully comprehend. Moreover, co-
3 defendants, such as Mr. Gardly and Mr. Mitchell, took advantage of her diligence and naivety. Her
4 *mens rea* was nowhere near as culpable as the co-defendants who devised and profited from the
5 scheme.

6 **Attenuating Circumstances and Limited Gain**

7 As described in the PSI, the Ms. McAllister's work environment under the supervision of
8 Ms. Marcienti was stressful, fast-paced, and abusive. Ms. Marcienti was herself operating under a
9 high-level of stress to process the high volume of loans within in the deadlines expected by her
10 customers. She berated and yelled at Ms. McAllister and her other assistant if they failed to
11 perform to her satisfaction. The work days were usually 10 hours long and often times Ms.
12 McAllister was required to work on Saturdays. In Spring 2006, Ms. Marciento lost her temper on
13 one occasion and threw a file at Ms. McAllister, striking her in the head. This was the last straw,
14 prompting Ms. McAllister to request a transfer to another escrow officer. Despite the transfer, the
15 work conditions continued to be stressful.

16 Additionally, Ms. McAllister was also under a tremendous amount of stress outside the
17 workplace. As noted above, her daughter was sickly and required constant medical treatment for a
18 respiratory problems that required her to breath from a respiratory machine four times a day.
19 Medical insurance did not fully cover her daughter's medical care or the equipment. The
20 biological father provided no child support. Ms. McAllister was fortunate to have the assistance of
21 her friend, Fannie Rodriguez, and her brother, Mark Nelson, who cared for her daughter while she
22 worked at Lawyer's Title. (Both Ms. Rodriguez and Mr. Nelson have submitted letters of support
23 for the Court's review.)

24 In or about November 2005, Ms. McAllister's sister needed a helping-hand and Ms.
25 McAllister extended it. Her sister could not take care of her two children, a nine year old and five
26 year old. So, Ms. McAllister took in her niece and nephew. In early 2006, Ms. McAllister's sister
moved into the house also. The expansion of Ms. McAllister's household and added

1 responsibilities placed her under an enormous amount of stress, as more fully described in Dr.
2 Paglini's report at pages 5-6.

3 In or about Spring 2006, Ms. McAllister's landlord informed her the house was going to
4 be sold and the lease terminated. Ms. McAllister needed to find a new residence. Lloyd Gardley
5 offered to arrange for her to rent one of the homes that was fraudulently purchased and sitting
6 vacant. (Another staff member at Lawyers Title handled the closing of the escrow on this particular
7 home.) He gave her a personal check for \$300 to pay for moving expenses, which she paid back.
8 She rented the 4,000 square foot home for \$500 per month for approximately six months. During
9 the summertime the electric bill was as high as \$500 to \$600 per month. Ms. McAllister had to
10 take payday loans to pay the expenses of the household and twice the electricity was turned off for
11 nonpayment.

12 Despite Ms. McAllister's financial and personal problems, she did not involve herself in
13 the scheme with the motive of gaining a profit. Instead, she work hard to make a living in an
14 industry that was operating on overload during the real estate frenzy. Her work days and personal
15 life were frantic and her family obligations were immense. It is in this context that she became
16 involved in the instant offense.

17 **Weighing the Relative Culpability**

18 To date, the Court has sentenced three of the named co-defendants in this matter. Arcell
19 Mitchell, was sentenced to nine months imprisonment, three years supervised release, and ordered
20 to pay \$365,749.71 in restitution. JOC, CR. 386. Mr. Mitchell was the loan officer, responsible
21 for submitting false loan applications in the name of various straw buyers. As a result of his
22 participation in the scheme, he earned commissions in the amount of \$260,100, which he was
23 ordered to pay as forfeiture. Like Ms. McAllister, he pleaded guilty to two mail fraud counts
24 involving the same two homes on Rabbit Trail Street. (He did not plead to the conspiracy count.)
25 The fraud guideline calculations in both defendants' plea agreements are the same (base level 7,
26 plus 14 levels for a loss over \$400,000). The government agreed, however, to move for the third

1 point for timely notification of entry of plea by Mr. Mitchell. PSI, ¶¶ 28-33; Mitchell Plea Memo,
2 CR 88, pp. 2 & 9-10. In contrast, Ms. McAllister entered her plea on March 18, 2013. The parties
3 agreed that Ms. McAllister did not timely notify the government of her intent to enter a plea and,
4 therefore, the government will not move for the third point for acceptance of responsibility.

5 Sharon Wagner, a real estate agent, was sentenced to 21 months and ordered to pay
6 \$323,850 in restitution, and forfeit \$67,754, which presumably represents the amount of her
7 commissions. CR. 406 and 413. It appears that Ms. Wagner recruited other strawbuyers and also
8 fraudulently purchased investment homes. Lloyd Gardly, the orchestrator of the scheme, received
9 a prison sentence of 135 months and a restitution order of \$1,445,548.94. CR. 423. Ms.
10 McAllister's relative culpability is far less than these defendants and merit a lesser punishment.

11 **3. Ms. McAllister's Personal Background**

12 Dr. Pagnili's psychological evaluation of Ms. McAllister gives the Court a thorough
13 picture of her history, characteristics, and traits. The evaluation is, therefore, incorporated by
14 reference herein for the Court's consideration of Ms. McAllister's personal history and the need to
15 impose a sentence that fits her offense conduct and person pursuant to Section 3553(a)(1) and (2).
16 The Court's attention is drawn to pages 16 and 17 of the evaluation which summarizes the
17 numerous mitigation points which support a community based sentence.

18 Additionally, the letters of support from Ms. McAllister's family and friends show that
19 she is a genuinely good person who has soldiered through much adversity in life and become a
20 devoted mother and valuable member of this community.

21 It is unnecessary to incarcerate a woman like Ms. McAllister given these personal traits
22 and taking into account her low level of culpability. The fraud guidelines significantly overstate
23 measure her culpability in this matter. A community-based sentence does not represent a "mere
24 slap on the wrist." United States v. Ruff, 535 F.3d 999, 1004 (9th Cir. 2008). As the Supreme
25 Court noted, probation represents a substantial restriction on a person's liberty. United States v.
26 Gall, 552 U.S. 38, 43 (2007); *see also*, Ruff, 535 F.3d at 1004. Indeed, a community-based

1 sentence is a kind of sentence that must be considered under the Sentencing Reform Act as a
2 punishment that may be sufficient, but not greater than necessary, to carry out the goals of
3 sentencing. *See*, 18 U.S.C. 3553(a)(3).

4 And, a community-based sentence is the punishment that is no more greater than
5 necessary to meet the goals of punishment of Ms. McAllister. She will not recidivate. The Court
6 has already sent out a strong message of general deterrence to the community by imposing prison
7 sentences on the more culpable persons in the scheme. To promote respect for the law, it is
8 appropriate to apply a community-based sentence upon Ms. McAllister in recognition of her lower
9 level of culpability and personal history described by Dr. Paglini.

10 Ms. McAllister has agreed to pay a \$1,009,750 restitution and forfeit \$148,814.22, which
11 the government determined to be the amount of escrow fees earned by her employer. She will bear
12 the stigma of an ex-felon for life, depriving her of the right to exercise valuable civil rights and
13 substantially impairing her ability to obtain gainful employment. From a personal standpoint, she
14 is extremely embarrassed by her involvement in the scheme. The undersigned counsel's legal and
15 factual analysis of her low-level of culpability in no way diminish Ms. McAllister's sense of
16 remorse and acceptance of responsibility.

17 In the words of Martin Luther King, Jr., "The moral arc of the universe bends at the
18 elbow of justice." A community-based sentence is justice in the light of the sentencing factors.

19 DATED this 3d day of January 2014.
20

21 Respectfully Submitted,

22 /s/
23 MARGARET M. STANISH
24
25
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CERTIFICATE OF SERVICE

In accordance with 49(c) of the Federal Rules of Criminal Procedures, the undersigned certifies that on the 3rd day of January 2014, I caused a true copy of Susanna McAllister's Sentencing Memorandum and Exhibit containing support letters to be electronically served by the U.S. District Court's CM/ECF system to the parties denoted in the Electronic Filing System in this matter.

/s/

MARGARET M. STANISH